

APPROVED

**SCOTTSDALE AIRPORT
ADVISORY COMMISSION
PUBLIC MEETING
AVIATION BUSINESS CENTER CONFERENCE ROOM
15041 N. AIRPORT DRIVE
SCOTTSDALE, AZ**

DECEMBER 14, 2005

MINUTES

PRESENT: Commission Vice-Chairman Fred Madanick
Commissioner Donald Maxwell
Commissioner Sean Asmus
Commissioner Tom Guilfooy
Commissioner Mike Osborne
Commissioner Lois Yates

ABSENT: Commission Chairman Leonard Tinnan

STAFF: Scott Gray, Aviation Director
Matt Johnson, Administration Specialist
Chris Read, Assistant Aviation Director
Jennifer Lewis, Aviation Planner
Paul Norman, Assistant City Attorney

CALL TO ORDER

Vice Chairman Madanick called the meeting to order at 5:58 p.m.

ROLL CALL

A roll call confirmed the presence of Commissioners as noted above.

PUBLIC COMMENT

None.

MINUTES

Commissioner Maxwell moved to approve the Minutes of the November 9, 2005 meeting of the Airport Advisory Commission. Commissioner Yates seconded the motion, the motion carried unanimously by a vote of six (6) to zero (0).

AERONAUTICAL BUSINESS PERMITS

Mr. Johnson directs the Commission to review distributed materials and opens the floor for questions and/or comments. The Commission has no questions regarding the distributed materials.

GENERAL BUSINESS

Open Meeting Law -- Presentation by Paul Norman, Senior Assistant City Attorney

Mr. Norman presented a PowerPoint presentation entitled, "Arizona Open Meeting Law and Email." The presentation was opened with the definition of the word "meeting" as it pertained to a City of Scottsdale Commission or Committee.

Mr. Norman indicated that a meeting is a gathering of a quorum of the body either serially or simultaneously. He described a quorum as consisting of a majority of the body; i.e., if the body consists of 7 members, a quorum would consist of 4 members. Mr. Norman continued the presentation by describing legal action as any discussion by a quorum that pertains to commission or committee business whereby a final goal can be reached. He offered various examples of what could be considered meetings and/or legal action.

Mr. Norman indicated that it was the recommendation of the City Attorney's Office that commission and committee members email any agenda proposals or other communication directly to a staff member rather than amongst themselves, thereby avoiding any accidental violation of the Open Meeting Law. He further indicated that the Office of the Attorney General has suggested adding the following disclaimer line to all emails sent by commission and/or committee members: "To ensure compliance with the Open Meeting Law, recipients of this message should not forward it to other board members and board members should not reply to this message."

Mr. Norman discussed the basic provisions of the Open Meeting Law. He indicated that commissions and committees must post a notice of all meetings a minimum of 24 hours in advance, that the agenda must include enough information to allow the public easy understanding of what topics will be discussed, and that all meetings must be documented by the taking of minutes.

Consider Recommendation of the Proposed Five-Year Capital Improvement Program

Mr. Read reviewed a PowerPoint Presentation from the November 9, 2005 meeting. He requested that the Commission examine distributed materials entitled, "Aviation Enterprise Fund - Five Year Financial Forecast" as he reviewed the various topics related to the Capital Improvement Program. He instructed them to pay particular attention to the 2006/2007 budget years for the purposes of making any decisions regarding the budgeted funds.

Commissioner Guilfoy questioned how the Airport Master Plan might influence the anticipated projects for future budget years. In response, Mr. Read indicated that staff will attempt to update the Airport Master Plan during the 2006/2007 budget cycle in order to include some of the anticipated projects for future budget years. He further indicated that the previous Master Plan Update was done in 1997.

Commissioner Guilfoy requested clarification on carry-overs from previous/existing Airport Master Plans. Mr. Gray stated that safety improvements were not included in previous/existing Airport Master Plans. He further stated that several projects included as part of the Capital Improvement Program are a direct result of the inspection done by the Runway Safety Action Team from the FAA in September 2005.

In further response to Commissioner Guilfoy's question, Mr. Gray indicated that a great deal of the land acquisition provisions in the Capital Improvement Program are carry-overs from the previous Airport Master Plan. He indicated that the next Airport Master Plan Update would allow for the creation of a Capital Improvement Program for the next 20 years. He detailed various projects as indicated on the current Capital Improvement Program, stating that the majority of these projects will be analyzed in much more detail during the Master Plan Update.

In response to a question posed by Vice Chairman Madanick regarding the need for a parking garage if Part 121 Service was not being allowed by the City Council, Mr. Gray indicated that the policy direction provided by the City Council was not to pursue Part 121 Service; however, the Master Plan will most likely have a 20-year plan for the Council to act formally on. He indicated that a parking garage would not be necessary if City Council decided that Part 121 Service would not be allowed, even in the future.

Mr. Gray directed the Commission's attention to an area mapped out for land acquisition. He indicated that the previous Master Plan Update identified approximately 30 acres for acquisition. However, only 13 acres were actually acquired. He further indicated that the new area mapped for acquisition would be added to the new Master Plan for analyzing.

For clarification, Commissioner Guilfooy asked Mr. Read if he was requesting that the Commission consider the larger projects as "place holders" until the updated Master Plan is placed into effect, because they had been on prior Master Plans. Mr. Read indicated that was correct.

Commissioner Maxwell moved to accept the proposed five-year Capital Improvement Program, Commissioner Osborn seconded the motion, Commissioner Guilfooy indicated that he was opposed to the use of aviation funds for an aesthetic perimeter fence.

Discussion ensued regarding Airport Perimeter Enhancement Project.

Commissioner Maxwell moved to accept the proposed five-year Capital Improvement Program with the exclusion of the Airport Perimeter Enhancement Project. Commissioner Osborn seconded the motion, and the motion carried unanimously with a vote of six (6) to zero (0).

Recommend Authorization of Bid Award #06PB058, (Building Demolition at 7500 E. Butherus) to KNK Diversified, Inc., the lowest responsive bidder in the amount of \$59,869.00

Mr. Read directed the Commission to review the report concerning Bid #06PB058.

Commissioner Guilfooy requested information on an anticipated clean up and construct bid for the above mentioned site. Mr. Read indicated that the bid includes demolition and clean up. He further indicated that the architectural design should be completed in January 2006 and submitted to the Commission by March or April 2006. Mr. Gray further clarified that the funding for the project has been pre-approved.

Commissioner Guilfooy expressed concerns about having this site become a vacant lot for a long period of time. Mr. Gray indicated that the property would be vacant with or without the demolition because the entities that are currently under lease contract will be vacating the premises at the end of December 2005. Mr. Read assured the Commission that everything is lined up to move as quickly as possible.

Commissioner Osborne expressed concern regarding the disparity of bid prices, indicating that the approved bid was considerably lower than the other four bids put forth. Mr. Read assured the Commission that there was no misinterpretation of the work required, and that the bid was for all work to be performed.

Commissioner Maxwell moved to accept Authorization of Bid Award #06PB058, (Building Demolition at 7500 E. Butherus) to KNK Diversified, Inc. the lowest responsive bidder in the amount of \$59,869.00. Commissioner Yates seconded the motion, and the motion carried unanimously with a vote of six (6) to zero (0).

Monthly progress Report - Long-term Tiedown Storage of Inactive Aircraft

Mr. Read requested that the Commission examine distributed materials, directing their attention to a draft of the Airport Rules and Regulations. He informed the Commission that a new rule and regulation regarding inactive aircraft was drafted in cooperation with the City Attorney's Office.

Discussion ensued regarding the proposed new rule and regulation to deal with inactive aircraft.

No action was taken at this time. The Commission will review the proposed rule for approval at a later date.

OPERATIONS/ENFORCEMENT UPDATE

Mr. Read requested that the Commission examine distributed materials entitled, "November Airport Operations Enforcement Update," and opened the floor for questions and discussion.

Vice Chairman Madanick inquired how rocks got onto the runway. In response, Mr. Read indicated that rocks will often be "kicked" onto the runway by aircraft taking sharp turns.

Commissioner Guilfoxy inquired about a report on November 6, 2005 that indicated that an aircraft appeared to have had difficulty with its landing gear properly deploying. Mr. Read indicated that staff was not privy to the details of the problem. Mr. Gray indicated to the Commission that the aircraft did not "belly in," stating that if it had, the report would have identified the problem as an Alert 3.

MEETING SCHEDULE

The next regularly scheduled meeting of the Airport Advisory Commission will be held on January 11, 2006 at 6:00 p.m.

Commissioner Osborn suggested addressing the format of future minutes at the January 11, 2006 meeting. In response, Mr. Gray suggested addressing Commission Bylaws at the January 11, 2006 meeting instead.

PUBLIC COMMENT

None.

DIRECTOR'S REPORT

Mr. Gray informed the Commission that the City Council via the City Clerk's Office has requested that all commission and boards review their respective guiding documents. He further stated that staff would be providing that information to the Commission to determine whether changes should be made.

Mr. Gray suggested that the Commission schedule a retreat in order to have adequate time available to review and discuss any prospective changes to the Commission Bylaws. He indicated that he would poll the Commission to determine the best date for the retreat, suggesting that it should be held on a Saturday.

ITEMS FROM THE COMMISSION

None.

ADJOURNMENT

With no further business to discuss, the regular meeting of the Scottsdale Airport Advisory Commission adjourned at 6:56 p.m.

Respectfully submitted,

AV-Tronics, Inc.